

C. Remarks

This Response is a submission under 37 C.F.R. § 1.114 in connection with a Request for Continued Examination (RCE).

At the outset, Applicants and the undersigned representative wish to thank Examiner Tieu for the courtesies extended during the telephone interview conducted on August 12, 2004 regarding the final Office Action dated June 10, 2004.

In the Office Action, claims 1-13, 15, 16, 18-20, and 28-36 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,185,782 to Srinivasan, and claims 14 and 21-27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Srinivasan in view of U.S. Patent 5,692,033 to Farris. Applicants respectfully traverse the rejections as follows.

Section 102(b) Rejections

Claims 1-5, 10-13, and 15

Applicants have amended claim 1 to recite that the system for providing a call back option to a customer of a call center includes:

means for providing the customer with a call back option to call back the call back center during a specified time period in response to a first call from the customer to the call center, wherein the first call is routed to the automatic call distributor by the telecommunications switch over the first communications link; and

means for establishing a second call between the automatic call distributor and the customer during the specified time period over the second communications link based on an acceptance of the call back option by the customer, wherein the second call is initiated by the customer and bypasses one or more call waiting queues associated with the call center such that the second call is given a priority greater

than one or more pending calls associated with the call center.

Support for this amendment may be found throughout the specification and claims as filed, such as, for example, at page 12, line 11 through page 14, line 12. Applicants note that the substance of this amendment is in accordance with that proposed during the interview and viewed favorably by the Examiner.

Applicants respectfully submit that a claim rejection based on anticipation under § 102(b) requires that a single prior art reference disclose each and every element of the claimed invention. See MPEP § 2131 (stating that a claim is anticipated only if each and every element as set forth in the claim is disclosed in a single prior art reference). Applicants respectfully submit that Srinivasan does not anticipate claim 1 because Srinivasan fails to disclose each and every element recited in claim 1.

First, Applicants respectfully submit that Srinivasan does not anticipate claim 1 because Srinivasan fails to disclose, among other things, a system for providing a callback option to a customer of a call center that includes:

means for providing the customer with a call back option to call back the call back center during a specified time period in response to a first call from the customer to the call center, wherein the first call is routed to the automatic call distributor by the telecommunications switch over the first communications link,

as recited in claim 1. Rather, Applicants respectfully submit that Srinivasan merely discloses a callback arrangement wherein a caller of an automatic call distribution (ACD) system is given the option of being placed on hold or having the ACD automatically place a callback (i.e., an outgoing call from the ACD to the caller) at a time specified by the caller. See, e.g., Abstract and column 7, lines 26-41. Simply put, the

callback option of claim 1 enables the customer to place the callback (i.e., the “second call” of claim 1) to the call center, whereas the callback option of Srinivasan enables the caller to receive the callback from the ACD. To make this fundamental difference between Srinivasan and the claimed subject matter even more clear, Applicants have further included in claim 1 the recitation that the “second call is initiated by the customer,” as suggested by the Examiner.

Second, notwithstanding the above distinction, Applicants respectfully submit Srinivasan does not anticipate claim 1 because Srinivasan fails to disclose, among other things, a system for providing a callback option to a customer of a call center that includes:

means for establishing a second call between the automatic call distributor and the customer during the specified time period over the second communications link based on an acceptance of the call back option by the customer, wherein the second call is initiated by the customer and bypasses one or more call waiting queues associated with the call center such that the second call is given a priority greater than one or more pending calls associated with the call center,

as recited in claim 1.

In particular, Srinivasan discloses that because a callback is placed using shared ACD resources, it is first necessary to determine the availability of these resources before a callback is attempted. For example, Srinivasan discloses functions for determining whether a trunk and an agent are available to handle a callback at its scheduled time. See, e.g., Figure 6 at steps 604 and 606. If both a trunk and an agent are available, the callback is placed to the caller. *Id.* at step 613. However, Applicants respectfully submit that Srinivasan nowhere discloses or even suggests that merely

placing a callback using an otherwise available (*i.e.*, idle) trunk and agent “bypasses one or more call waiting queues associated with the call center,” as recited in claim 1.

Furthermore, in the case where a callback cannot be placed as scheduled due to the lack of an available trunk or agent, Srinivasan similarly fails to disclose or suggest that the callback “bypasses one or more call waiting queues associated with the call center,” as recited in claim 1. Rather, Srinivasan merely discloses that a call record corresponding to the callback is retained and that the callback function is periodically invoked until the necessary resources become available to place the callback. *See, e.g.*, Figure 6 at steps 605 and 609 and column 6, lines 52-57.

For at least the above reasons, Applicants respectfully submit that claim 1, as well as claims 2-5, 10-13, and 15 depending therefrom, are not anticipated by Srinivasan. Applicants therefore respectfully request that the § 102(b) rejection of these claims be withdrawn.

Applicants have also amended claim 13 to clarify that the return call processing module of claim 11 is for “establishing the second call based on a customer identification stored subsequent to the acceptance of the call back option by the customer.” Support for this amendment may be found throughout the specification as filed, such as, for example, at page 12, line 22 through page 14, line 12.

Claims 16, 19-20, and 28-32

Claim 16 is directed to a system for providing a call back option to a customer of a call center and has been amended in a manner similar to claim 1. Therefore, for reasons analogous to those presented above with respect to claim 1, Applicants

respectfully submit that claim 16 is not anticipated by Srinivasan. Applicants therefore respectfully request that the § 102(b) rejection of this claim be withdrawn.

Claim 19 is directed to a call center and has been amended in a manner similar to claim 1. Applicants have also amended dependent claim 20 to conform to the amendment of claim 19, from which it depends. Therefore, for reasons analogous to those presented above with respect to claim 1, Applicants respectfully submit that claim 19, as well as claim 20 depending therefrom, are not anticipated by Srinivasan. Applicants therefore respectfully request that the § 102(b) rejections of these claims be withdrawn.

Claim 28 is directed to a method for providing a call back option to a customer of a call center and has been amended in a manner similar to claim 1. Therefore, for reasons analogous to those presented above with respect to claim 1, Applicants respectfully submit that amended claim 28, as well as claims 29-32 depending therefrom, are not anticipated by Srinivasan. Applicants therefore respectfully request that the § 102(b) rejections of these claims be withdrawn.

Section 103(a) Rejections

Claim 14

Claim 14 depends from claim 1. Applicants submit that amended claim 1 is nonobvious over the combination of Srinivasan and Farris because the cited references, either alone or in combination, fail to teach or suggest each and every element of this claim. See MPEP § 2143 (stating that in order to establish a *prima facie* case of obviousness, all claim limitations must be taught or suggested by the prior art).

More specifically, Applicants submit that Srinivasan and Farris, either alone or in combination, fail to teach or suggest, among other things, a system for providing a call back option to a customer of a call center that includes:

means for providing the customer with a call back option to call back the call back center during a specified time period in response to a first call from the customer to the call center, wherein the first call is routed to the automatic call distributor by the telecommunications switch over the first communications link; and

means for establishing a second call between the automatic call distributor and the customer during the specified time period over the second communications link based on an acceptance of the call back option by the customer, wherein the second call is initiated by the customer and bypasses one or more call waiting queues associated with the call center such that the second call is given a priority greater than one or more pending calls associated with the call center,

as recited in claim 1.

Applicants further submit that claim 14 is also nonobvious over the combination of Srinivasan and Farris by virtue of its dependence from claim 1. See MPEP §2143.03 (stating that if an independent claim is nonobvious under § 103(a), then any claim depending therefrom is nonobvious). Accordingly, Applicants respectfully request that the § 103(a) rejection of claim 14 be withdrawn.

Claims 21-23

Claim 21 is directed to a system for providing a call back option to a customer of a call center and has been amended to include features similar to those discussed above with respect to claim 1. Therefore, for reasons analogous to those presented

above with respect to claim 1, Applicants submit that amended claim 21 is nonobvious over the combination of Srinivasan and Farris.

Applicants further submit that claims 22 and 23 are nonobvious over the combination of Srinivasan and Farris by virtue of their dependence from claim 21. See MPEP §2143.03 *id.*

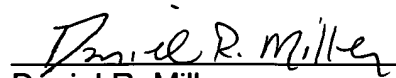
Accordingly, Applicants respectfully request that the § 103(a) rejections of claims 21-23 be withdrawn.

Applicants are not otherwise conceding, however, the correctness of the Office's rejection with respect to any of the dependent claims discussed above and hereby reserve the right to make additional arguments as may be necessary because the dependent claims include additional features which further distinguish the claims from the cited references, taken alone or in combination. A detailed discussion of these differences is believed to be unnecessary at this time in view of the basic differences in the independent claims pointed out above.

CONCLUSION

Applicants respectfully request a Notice of Allowance for the pending claims in the present application. If the Examiner is of the opinion that the present application is in condition for disposition other than allowance, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below in order that the Examiner's concerns may be expeditiously addressed.

Respectfully submitted,


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